

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

In re: Vitamins Antitrust Litigation

Misc. No. 99-0197 (TFH)

MDL No. 1285

FILED

MAY 07 2002

This Document Relates to All Actions

NANCY MAYER WHITTINGTON, CLERK
U.S. DISTRICT COURT

PLAINTIFFS AND DEFENDANT TANABE SEIYAKU CO., LTD.'S STIPULATION
TO CONCURRENT JURISDICTIONAL AND MERITS DISCOVERY
WITHOUT WAIVER OF JURISDICTIONAL OBJECTIONS,
AND ORDER THEREON

STIPULATION TO PRODUCTION OF JURISDICTIONAL AND MERITS
DISCOVERY WITHOUT WAIVER OF
JURISDICTIONAL OBJECTIONS

It is hereby stipulated between plaintiffs and defendant Tanabe Seiyaku Co., Ltd. that Tanabe Seiyaku may (1) provide witnesses for deposition, (2) produce its submission to the European Competition Commission, and (3) participate in expert discovery without prejudice to or waiver of its outstanding objections to personal jurisdiction in any pending action.

The parties make this Stipulation following their conference with the Special Master to allow Tanabe Seiyaku to provide plaintiffs with certain jurisdictional and merits discovery in an expedited manner without prejudice to Tanabe Seiyaku's jurisdictional objections.

Dated: May 1, 2002

DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP

By 

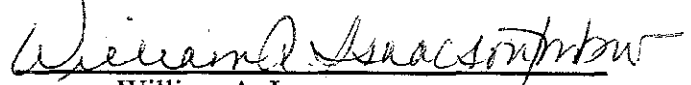
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TANABE SEIYAKU CO., LTD.

ORDER

Defendant Tanabe Seiyaku Co., Ltd. may participate in the discovery described above without prejudice to or waiver of its outstanding objections to personal jurisdiction in any pending action.

IT IS SO ORDERED.

May 7, 2002



Chief United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that, this 1st Day of May 2002, he caused a copy of Plaintiffs And Defendant Tanabe Seiyaku Co., Ltd.'s Stipulation to Concurrent Jurisdictional And Merits Discovery Without Waiver of Jurisdictional Objections and Order Thereon be sent to Verilaw for service on other parties pursuant to the Stipulated Order Regarding Electronic Service.

